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Technology Center 2100

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PATENT

Attorney Docket No. 80168-0106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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Mark A. KAMPE

)

Art Unit: 2123

Application No.: 09/850,183

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Examiner: UNASSIGNED

Filed: May 7, 2001

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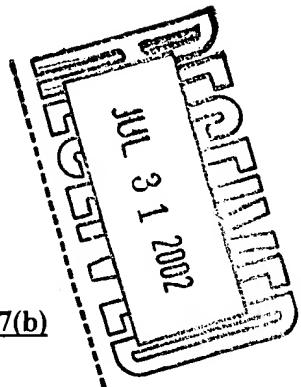
For: MEANS FOR INCORPORATING SOFTWARE
INTO AVAILABILITY MODELS

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Commissioner for Patents

Washington, D.C. 20231



INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of each of the listed documents is submitted herewith.

The documents listed were cited in a PCT International Search Report dated June 7, 2002, a copy of which is enclosed for the Examiner's consideration. This information disclosure statement is being filed within one of the following time periods: within three months of the filing date of this application other than a continued prosecution application, or within three months of the date of entry into the national stage of this international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, and also within three months of the date of a search report from a foreign patent office. Therefore, no fee under 37 C.F.R. §1.17(p) is required.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

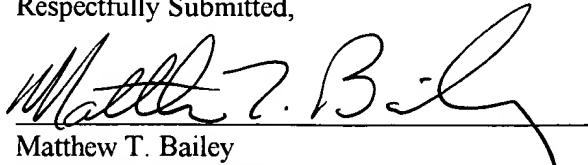
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a
CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R.
§ 1.136(a)(3).

Dated: July 18, 2002

Respectfully Submitted,



Matthew T. Bailey
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 80168-0106	APPLICATION NO. 09/850,183
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Mark A. Kampe.	
(Use several sheets if necessary)		FILING DATE May 7, 2001	ART UNIT 2123



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,014,220	May 7, 1999	McMann et al.	364	513	
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						JUL 23 2002
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FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	ABSTRACT	
							Yes	No
		EP 0 773 649 A2	May 14, 1997	EPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Cramp, R, et al.; On Operational Availability of a Large Software-Based Telecommunications System; Software Reliability Engineering; 1992 Proc. 3 rd Int'l Symposium on Research Triangle Park, NC; 1992; Pg. 358-366
		Pantoglou, G.; A Semi-Markov Model for the Software Error Correction Process; 1984; Pg. 192-195

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.